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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,189	01/31/2001	Rabindranath Dutta	AUS920000950US1	4498
35525	7590	01/27/2005	EXAMINER	
IBM CORP (YA)			GOLD, AVI M	
C/O YEE & ASSOCIATES PC			ART UNIT	
P.O. BOX 802333			PAPER NUMBER	
DALLAS, TX 75380			2157	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/773,189	Applicant(s) DUTTA ET AL.	
	Examiner Avi Gold	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) 1,2,16,17,31 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                        |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____   |

### **DETAILED ACTION**

The amendment received on August 17, 2004 has been entered and fully considered.

#### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 3-6, 8, 9, 11-15, 18-21, 23, 24, 26-30, 33-36, 38, 39, and 41-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Nehab et al., U.S. Patent No. 6,029,182.

Nehab teaches the invention as claimed including a system for generating a custom formatted hypertext document by using a personal profile to retrieve hierarchical documents (see abstract).

Regarding claim 3, Nehab teaches a method of providing content to a client, comprising:

retrieving the content, wherein retrieving the content includes performing a search of content providers (col. 1, lines 13-17, Nehab discloses retrieving articles from different services);

performing an evaluation of the content for accessibility by a user (col. 1, lines 20-23, Nehab discloses articles selected based on a personalized data retrieval structure); and

providing the content to the client if a result of the evaluation meets an accessibility requirement for the user, wherein the search of content providers is performed using a web search engine (col. 1, lines 13-34, Nehab discloses content found on the web and given to the user based on a personalized data retrieval structure).

Regarding claim 4, Nehab teaches the method of claim 3, wherein performing an evaluation of the content for accessibility by a user includes determining an accessibility level of the content based on accessibility criteria (col. 1, lines 20-34, Nehab discloses content based rules and other rules for personalized data chosen).

Regarding claim 5, Nehab teaches the method of claim 4, wherein the accessibility criteria are established based on standardized accessibility guidelines (col. 1, lines 20-34).

Regarding claim 6, Nehab teaches the method of claim 3, wherein performing an evaluation of the content for accessibility by a user includes using an evaluation tool to perform the evaluation (col. 1, lines 20-34).

Regarding claim 8, Nehab teaches the method of claim 3, further comprising providing an indication to the client that the content does not meet accessibility requirements if the result of the evaluation is that the content does not meet the accessibility requirement for the user (col. 3, lines 30-49, Nehab discloses only receiving data available which may not be all of the data requested).

Regarding claim 9, Nehab teaches the method of claim 3, wherein the accessibility requirement for the user is obtained from a user profile (col. 1, lines 20-34).

Regarding claim 11, Nehab teaches the method of claim 3, wherein the method is implemented on the client (col. 3, lines 52-65, Nehab discloses data downloaded to an extracted data tree).

Regarding claim 12, Nehab teaches the method of claim 3, wherein the content is at least one web page (col. 1, lines 13-34).

Regarding claim 13, Nehab teaches the method of claim 3, further comprising modifying the content such that the content meets the accessibility requirement for the user (col. 4, lines 13-25, Nehab discloses data being formatted into a personalized document).

Regarding claim 14, Nehab teaches a method of providing content to a client, comprising:

- retrieving the content (col. 1, lines 13-17);

- performing an evaluation of the content for accessibility by a user (col. 1, lines 20-23); and

- providing the content to the client if a result of the evaluation meets an accessibility requirement for the user (col. 1, lines 13-17),

- modifying the content such that the content meets the accessibility requirement for the user, wherein modifying the content includes changing values for tags in the content based on one of a rule set and an algorithm such that the content meets the accessibility requirement for the user (col. 4, lines 13-25, col. 2, lines 58-64, Nehab discloses flattening the extracted data tree and formatting the linear document).

Regarding claim 15, Nehab teaches a method of providing content to a client, comprising:

- retrieving the content (col. 1, lines 13-17);

performing an evaluation of the content for accessibility by a user (col. 1, lines 20-23); and

providing the content to the client if a result of the evaluation meets an accessibility requirement for the user (col. 1, lines 13-34),

modifying the content such that the content meets the accessibility requirement for the user, wherein performing the evaluation of the content for accessibility by the user includes logging elements of the content that do not meet accessibility criteria, and wherein modifying the content includes modifying logged elements and then re-evaluating the content to confirm the accessibility requirement for the user has been met by such content modification (col. 4, lines 13-25, col. 2, lines 58-64, col. 4, lines 35-39, Nehab discloses a formatted document processed again).

Regarding claim 46, Nehab teaches a proxy server, comprising:

means for receiving a search request from a user (col. 1, lines 13-34);

means for forwarding the search request to a search engine (col. 1, lines 13-34);

means for receiving search results of the search request from the search engine (col. 1, lines 13-34);

means for performing an evaluation of content pertaining to the search results for accessibility by the user (col. 1, lines 20-23);

means for providing the content to the user if a result of the evaluation meets an accessibility requirement for the user (col. 1, lines 13-34); and

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means for modifying the content such that the content meets the accessibility requirement for the user (col. 4, lines 13-25).

Regarding claim 47, Nehab teaches the proxy server of claim 46, wherein the means for modifying the content comprises means for changing values for tags in the content based on one of a rule set and an algorithm such that the content meets the accessibility requirement for the user (col. 2, lines 58-64).

Claims 18-21, 23, 24, 26-30, 33-36, 38, 39, and 41-45 do not teach or define any new limitations above claims 3-6, 8, 9, and 11-15 and therefore are rejected for similar reasons.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7, 22, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nehab further in view of Rowan et al., "Evaluating Web Resources for Disability Access."



Nehab teaches the invention substantially as claimed including a system for generating a custom formatted hypertext document by using a personal profile to retrieve hierarchical documents (see abstract).

Nehab teaches the method, apparatus, and computer program product of claims 6, 21, and 36, respectively.

Nehab fails to teach the limitation further including the use of Bobby as an evaluation tool.

However, Rowan teaches the need for a standard accessibility evaluation method (see abstract). Rowan teaches the use of Bobby (page 80, last paragraph).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nehab in view of Rowan to use Bobby. One would be motivated to do so because it is a known and efficient evaluation tool.

6. Claims 10, 25, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nehab further in view of Kay, U.S. Patent No. 6,272,492.

Nehab teaches the invention substantially as claimed including a system for generating a custom formatted hypertext document by using a personal profile to retrieve hierarchical documents (see abstract).

Nehab teaches a method of providing content to a client, comprising: retrieving the content (col. 1, lines 13-17); performing an evaluation of the content for accessibility by a user (col. 1, lines 20-23); and providing the content to the client if a result of the evaluation meets an accessibility requirement for the user (col. 1, lines 13-34).

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Nehab fails to teach the limitation further including the use of a proxy server.

However, Kay teaches a front-end proxy server for Internet web servers (see abstract). Kay teaches the use of a proxy server (col. 2, lines 66-67; col. 3, lines 1-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nehab in view of Kay to use a proxy server. One would be motivated to do so because a proxy server speeds up the process of retrieving content.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,324,511 to Kiraly et al.

U.S. Pat. No. 6,476,833 to Moshfeghi.

U.S. Pat. No. 6,725,424 to Schwerdtfeger et al.

U.S. Pat. No. 6,665,642 to Kanevsky et al.

U.S. Pat. No. 6,029,182 to Nehab et al.

U.S. Pat. No. 5,983,247 to Yamanaka et al.

U.S. Pat. No. 6,457,030 to Adams et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold  
Patent Examiner  
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